

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TRAVELERS CASUALTY AND  
SURETY COMPANY OF  
AMERICA,

Plaintiff,

v.

NOVA CONTRACTING, INC., et  
al.,

Defendants.

CASE NO. C20-5164JLR

SHOW CAUSE ORDER

Before the court is Plaintiff Travelers Casualty and Surety Company of America's ("Travelers") proposed judgment. (Prop. J. (Dkt. # 16-1) at 5-7.) On August 14, 2020, Judge Ronald B. Leighton granted Travelers' motion for summary judgment and ordered Travelers to submit a motion for attorney's fees and a proposed judgment.<sup>1</sup> (See 8/14/20

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<sup>1</sup> After Judge Leighton granted summary judgment, this case was reassigned to the undersigned judge. (8/31/20 Min. Order (Dkt. # 18).)

1 Order (Dkt. # 15) at 3-4.) Travelers complied with that order, and the court recently  
2 granted Traveler's motion for attorney's fees. (*See* 10/28/20 Order (Dkt. # 20).)  
3 However, the court has not yet entered judgment in this case. (*See generally* Dkt.)

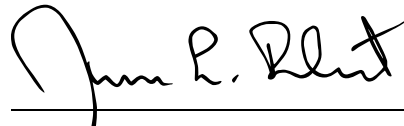
4 The court concludes that Travelers' proposed judgment is insufficient. The court  
5 has two issues with the proposed judgment. First, the correct principal amount to award  
6 Travelers is not clear from the proposed judgment and Travelers' submissions in this  
7 case. The proposed judgment claims that the principal amount of the judgment is  
8 \$132,932.60 (*see* Prop. J. at 6), but Travelers' motion for summary judgment claims that  
9 Defendants Jordan Opdahl, Jill Opdahl, and Nova Contracting, Inc. (collectively,  
10 "Defendants") "owe Travelers \$132,932.60, which includes the principal [j]udgment  
11 amount plus interest [through] May 28, 2020" (*see* MSJ (Dkt. # 11) at 5). Thus, the  
12 motion for summary judgment suggests that the \$132,932.60 amount in the proposed  
13 judgment includes both principal and interest. Travelers' reply brief supports this theory.  
14 A footnote in the reply states that the "balance as of May 12" was \$132,237.00. (*See*  
15 MSJ Reply (Dkt. # 14) at 2 n.3.) Ultimately, because Travelers has not clearly identified  
16 the correct principal amount, the court is unable to enter judgment at this time.

17 Second, Travelers' proposed judgment does not detail the date on which  
18 prejudgment interest should accrue or Travelers' proposed prejudgment interest  
19 calculation. (*See* Prop. J. at 6.) Travelers' reply brief details a proposed calculation and  
20 appears to suggest that interest should accrue from May 12, 2020. (*See* MSJ Reply at 2  
21 n.3.) But Travelers does not adequately explain why interest should begin accruing on  
22 May 12, 2020, and it does not support its proposed calculation with any citations. (*See*

1 *id.*) Moreover, Travelers' proposed calculation yields an award of \$1,956.38 in  
2 prejudgment interest as of June 26, 2020 (*see id.*), but the proposed judgment requests  
3 only \$305.93 in prejudgment interest (*see* Prop. J. at 6).

4 Accordingly, the court ORDERS Travelers to show cause regarding (a) the  
5 appropriate principal judgment amount, (b) the date that prejudgment interest should  
6 begin accruing, (c) Travelers' proposed prejudgment interest calculation, and (d) any  
7 other necessary revisions to Travelers' proposed judgment (Dkt. # 16-1). The court  
8 encourages Travelers to provide citations to the record, caselaw, and statutory authority  
9 in support of its arguments on each of these topics. Travelers shall file its response to this  
10 order no later than 10 days after the filing date of this order, and the response shall not  
11 exceed four pages in length. Defendants may file a response to this order within this  
12 same timeframe, but are not required to do so.

13 Dated this 29th day of October, 2020.

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16 JAMES L. ROBART  
17 United States District Judge  
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